

by seeking patents on procedures they use. That prospect is frightening.

Mr. President, the practice of enforcing medical patents against physicians and other health care providers has profoundly negative implications for the entire health care field. And that is why I am introducing legislation that would provide an exception from the definition of patent infringement for medical and surgical procedures. With this approach, physicians and others will still be entitled to seek and obtain a medical method patent, but there will be no infringement if the procedure is used by other physicians or other licensed health care practitioners. And because the legislation does not impose a ban on the issuance of medical method patents, there should be no concern that the legislation would prohibit biotechnology companies from enforcing their patent rights against commercial users with respect to any patentable advancements in areas such as gene therapy, cell therapy, or with respect to new uses for well-known drugs. Additionally, Mr. President, there is an explicit exemption for the commercial manufacture of drugs, medical devices and any other products regulated by the Food and Drug Administration, which should also provide substantial protection for the biotechnology industry.

Mr. President, more than 80 nations, including Japan, Germany, Great Britain, and France, prohibit the issuance of medical method patents. Increased enforcement of medical method patents will increase health care costs, limit access to quality health care, and ultimately put patient privacy at risk. The legislation I am introducing will limit the enforcement of medical method patents against physicians, while preserving the rights of the biotechnology industry. I believe this legislation is both balanced and necessary, and I urge my colleagues to support its passage. ●

ADDITIONAL COSPONSORS

S. 881

At the request of Mr. GRASSLEY, the name of the Senator from Kentucky [Mr. McCONNELL] was added as a cosponsor of S. 881, a bill to amend the Internal Revenue Code of 1986 to clarify provisions relating to church pension benefit plans, to modify certain provisions relating to participants in such plans, to reduce the complexity of and to bring workable consistency to the applicable rules, to promote retirement savings and benefits, and for other purposes.

S. 942

At the request of Mr. BOND, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 942, a bill to promote increased understanding of Federal regulations and increased voluntary compliance with such regulations by small entities, to provide for the designation of regional

ombudsmen and oversight boards to monitor the enforcement practices of certain Federal agencies with respect to small business concerns, to provide relief from excessive and arbitrary regulatory enforcement actions against small entities, and for other purposes.

S. 949

At the request of Mr. GRAHAM, the names of the Senator from South Carolina [Mr. THURMOND], the Senator from Pennsylvania [Mr. SANTORUM], and the Senator from Kentucky [Mr. FORD] were added as cosponsors of S. 949, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 200th anniversary of the death of George Washington.

S. 1027

At the request of Mr. BROWN, the name of the Senator from Arizona [Mr. KYL] was added as a cosponsor of S. 1027, a bill to eliminate the quota and price support programs for peanuts, and for other purposes.

S. 1028

At the request of Mrs. KASSEBAUM, the name of the Senator from Kentucky [Mr. FORD] was added as a cosponsor of S. 1028, a bill to provide increased access to health care benefits, to provide increased portability of health care benefits, to provide increased security of health care benefits, to increase the purchasing power of individuals and small employers, and for other purposes.

AMENDMENTS SUBMITTED

THE CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY [LIBERTAD] ACT OF 1995

HELMS AMENDMENT NO. 2938

(Ordered to lie on the table.)

Mr. HELMS submitted an amendment intended to be proposed by him to amendment No. 2898 proposed by Mr. DOLE to the bill (H.R. 927) to seek international sanctions against the Castro government in Cuba, to plan for support of a transition government leading to a democratically elected government in Cuba, and for other purposes; as follows:

At the end, add the following:

() Notwithstanding any other provision of this Act, but for purposes of Title III, any person or entity, including any agency or instrumentality of a foreign state, shall be deemed to have received the notices described in subsections (B)(I) and (B)(ii) with respect to any claim certified prior to the effective date hereof by the Foreign Claims Settlement Commission.

() Notwithstanding any other provision of this Act, but for purposes of Title III, an action may be brought under Title III by a United States national only where the amount in controversy exceeds \$100,000, exclusive of costs, attorneys' fees, and exclusive of interest under sections 302(a)(I)(I), (II), and (III), and exclusive of any additional sums under section 302(a)(3)(B).

() Notwithstanding any other provision of this Act, but for purposes of Title III, a

United States national who was eligible to file the underlying claim in the action with the Foreign Claims Settlement Commission under Title V of the International Claims Settlement Act of 1949 but did not so file the claim may not bring an action under this Title.

() Notwithstanding any other provision of this Act, but for purposes of Title III, in the event some or all actions or claims filed under this section are consolidated by judicial or other action in such manner as to create a pool of assets available to satisfy such claims, including a pool of assets in a proceeding in bankruptcy, every certified claimant who filed such an action or claim which is consolidated in such manner with other claims shall be entitled to payment in full of its claim from the assets in such pool prior to any payment from the assets in such pool with respect to any claim not certified by the Foreign Claims Settlement Commission.

() Notwithstanding any other provision of this Act, but for purposes of Title III, in the case of any action brought under this Title by a United States national whose underlying claim in the action was timely filed with the Foreign Claims Settlement Commission under Title V of the International Claims Settlement Act of 1949 but was denied by the Commission, the court shall accept the findings of the Commission on the claim as conclusive in the action under this Title.

() Notwithstanding any other provision of this Act, any provisions in this Act related to the import of sugar or sugar products shall be deemed "sense of the Congress" language.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. MCCAIN. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will hold a hearing on S. 1327, the Saddleback Mountain-Arizona Settlement Act of 1995, a bill to transfer certain lands to the Salt River Pima-Maricopa Indian community and the city of Scottsdale, AZ. The hearing will take place on Thursday, October 26, 1995, beginning at 9:30 a.m. in room 485 of the Russell Senate Office Building.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. HELMS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be allowed to meet twice during the Wednesday, October 18, 1995, session of the Senate for the purpose of conducting an oversight hearing on the Amateur Sports Act and a hearing on S. 1043, the Natural Disaster Protection and Insurance Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. HELMS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 18, 1995, at 10 a.m.